



TALBOT COUNTY SOLAR ARRAY COMMITTEE

Meeting Minutes

Date of meeting: Tuesday, July 19, 2016

Location: 215 Bay Street, Conf. Room 1, Easton, MD 21601

Attendees: Mary Kay Verdery, Mike Pullen, Dirck Bartlett, Chuck Callahan, Ed Heikes, Jeremy Rothwell, Frank Cavanaugh, Scott Kane, Ryk Lesser

1. Meeting opened at 1:00 p.m.

2. Election of spokesperson. Scott Kane and Frank Cavanaugh agreed to represent the Solar Array Committee as spokesmen for the group. Presentation of the Committee's zoning recommendations before the Planning Commission and County Council is expected.

3. Topics discussed.

- a. Map.** Mary Kay Verdery presented a map that the Planning Office had developed showing substations, power lines, unprotected agricultural land, and conserved agricultural land, among other features.
- b. Key zoning issues.** Aesthetics, agricultural impacts, the environment, and mitigation identified as key issues to consider in preparing the Committee's recommendations.
- c. Comprehensive Plan.** Comprehensive Plan's focus on preserving the County's rural character as guiding principle in developing any new zoning regulations affecting solar.

- d. Maximum acreage limit.** Jeremy Rothwell explained Kent County's approach of limiting the total amount of solar development of open space to a percentage of total land area.
- e. Scenic byways.** The importance of identifying federal and state designated scenic byways was noted. A question was raised about whether such byways would supersede the Public Service Commission's approval of a solar project in a byway area. Also, it might make sense to create an overlay map showing scenic byways and to incorporate this into the solar regulations.
- f. Soil impact.** Questions were posed about the long term effect of solar development on soil types and whether underground cables and wiring supporting solar panels would interfere with farming practices. The consensus was that soil structures would remain the same and that depending on the depth of the cables, they might not interfere with farming. Typically, cables are laid 24 inches below the surface in 2 inch diameter segments.
- g. Bonding.** There was discussion about whether to require the property owner to put up a bond for the maintenance and, ultimately, the decommissioning of solar developments. Councilman Bartlett's view was that any such requirements should be directed to the property owner, as opposed to the developer, who might transfer its rights to an out-of-state company, so that the County can more easily enforce the maintenance/decommissioning requirements.
- h. Rooftop installation/impervious surfaces.** In general, there seemed to be consensus that any new regulations should favor solar project on rooftops and other impervious surfaces to avoid taking land out of agricultural production.
- i. MALPF.** Under the MALPF program, the cost is \$5,000 per acre to place farmland in permanent conservation. This provides an example

of how expensive an acre-to-acre mitigation requirement might be for farmland taken out of production due to solar development. Jeremy pointed out that if the cost of mitigation is too high it could be unenforceable.

- j. Forest conservation requirements.** The Forest Conservation Ordinance is triggered by a change of land use, including when farmland is converted to solar utility use. MEBA provides an example of this. The following question was raised: If the owner is required to take additional land out of agricultural production to plant trees, would this further loss of ag land be included in an acre-to-acre mitigation requirement?
- k. Ag transfer tax.** Generates funding for MALPF. Applies when ag land is converted to solar use.
- l. Glare.** Will glare from solar panels be a concern, either to residential homeowners or to other groups?
- m. Array height and footprint.** Solar arrays vary in height with some being up to 12 feet high depending on how they're designed and constructed. A general rule is that the higher the array is, the smaller the footprint because height gives you more efficiency in the footprint area. There is a well established geometric formula in the solar industry that gives you max efficiency. Should developers be required to make the project as efficient as possible to ensure a small footprint? If so, how will the plans/engineering be reviewed?
- n. Screening.** Depending on the height, if the array is located on agricultural land, there could be natural screening by corn or other tall crops in certain years.
- o. Mitigation.** Should there be different mitigation requirements for critical area vs. non-critical area? Also, should it take soil type into account? The ag industry recognizes certain soils as superior to others

for production purposes. If prime soils are taken out of production due to solar development, then the question is whether mitigation should require putting similar prime land into conservation.

- p. Residential energy use.** The typical home requires 10kw of capacity and consumes 24,000 kwh per year.
 - q. State net metering limit.** Under State law, a solar generator connected to grid will only get net excess generation credit for up to 200% of the facility's estimated solar usage.
 - r. PSC level designations.** The Maryland Public Service Commission recognizes different sized solar systems by "level" – e.g., a Level 1 system is one with a certain capacity. Coordinating the County's regulations with the PSC's and using a common language could make the regulatory process more straightforward.
- 4. Agenda for next meeting.** Susan Gray and Les Knapp will be speaking at the next solar array committee meeting on Thursday, July 21, 2016.
 - 5. Meeting adjourned at 3:00 p.m.**